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9. A disc cartridge as claimed in claim 8, wherein said locking cancellation preventing member is irreversibly displaced out of said moving path and the locking is canceled by moving said locking member.

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10. A disc cartridge as claimed in claim 8, wherein said locking cancellation preventing member is displaced out of said moving path and the locking is canceled by moving said locking member.--

REMARKS

The objection to claims 5, 6 and 7/5 and the indication that such claims would be allowable if rewritten to correct the informality in independent form including all of the limitations of the base claim and any intervening claims, is acknowledged. However, as discussed below, such claims have been canceled at this time together with the other claims in this application, it being noted that the feature of claims 5 and 6 referred to by the Examiner is present in new claim 9.

By the above amendment, the specification has been amended to make reference to portion 17a in Fig. 2B, 17j in Fig. 5B and 17b in Fig. 7B. Additionally, claims 1-7 have been canceled without prejudice or disclaimer of the subject matter thereof, and new claims 8-10 have been presented.

With regard to the objection to the drawings, while the

Examiner refers to numeral 17a in Fig. 2C, such reference appears in Fig. 2B and as pointed out above, Figs. 5B and 7B also include reference numerals which have not been identified in the specification. By the present amendment, the specification has been amended to identify such portions as broken portions of the locking cancellation preventing member 16a, 16j or 16b in the indicated drawings. That is, when the locking cancellation preventing members are broken away as described in the specification and illustrated in the aforementioned drawings, the broken portion thereof remains and the take-out history is recognized thereby. Thus, the objection to the drawings should now be overcome by the amendment of the specification.

Turning to the objections with regard to claims 5 and 6 and the rejection of claims 2 and 3 under 35 U.S.C. §112, second paragraph, such objections and rejections have been obviated by the cancellation of claims 1-7 herein, such that further discussion of such claims is considered unnecessary.

As to the rejection of claims 1-4 and 7/3 under 35 U.S.C. §103(a) as being unpatentable over Goto et al (U.S. Patent 5,917,803) in view of JP-9282832, this rejection is traversed insofar as it is applicable to the present claims, and reconsideration and withdrawal of the rejection are respectfully requested.

Turning to newly presented claim 8, this claim is

directed to a disc cartridge as illustrated in Figs. 1 and 2 of the drawings of this application, for example, having a disc insertion and removal port opening and closing member 12, which is moved from the disc cartridge when taking out the disc-like recording medium. As more clearly illustrated in Figs. 2A-2C, the disc cartridge has a locking member represented by the locking hole 7a which receives a locking hook 6a therein, and as illustrated, due to the presence of the locking cancellation preventing member 6a arranged in a lower portion of the locking hook 6a, the locking hook 6a cannot be dislodged from the locking hole 7a since the locking canceling member 16a is arranged along a moving path for the locking hole 6a. Thus, either by breaking away the locking cancellation prevention member as illustrated by the leaving of the broken portion 17a in Fig. 2B or by the using a tool or the like as illustrated in Fig. 3, for example, movement of the locking member is prevented. When the locking cancellation preventing member 16a is broken away as shown in Fig. 2B, for example, the locking cancellation preventing member is reversibly displaced out of the moving path and the locking is canceled by moving the locking member. On the other hand, in accordance with the present invention, as illustrated in Fig. 3, for example, the locking cancellation preventing member is retained while the locking member is arranged for movement. Applicants submit that the

aforementioned features are now recited in claim 8 and its dependent claims 9 and 10, and such features are not disclosed or taught in the cited art, as will become clear from the following discussion.

Turning to Goto et al, the Examiner recognizes that Goto et al lacks an explicit teaching of locking cancellation preventing means, and applicants submit that Goto et al provides no disclosure or teaching of the same. The Examiner, contends that JP-8282832 discloses locking cancellation preventing means (4b) for preventing locking means (3f) from cancelling the locking of an insertion and removal port opening and closing member (3) referring to Fig. 6.

Applicants note that it is assumed that the Examiner is referring to JP-9282832 as utilized in the body of the rejection, and it is noted that this document does not appear to provide an English language description of Fig. 6. In any event, it is apparent that the lock member in terms of an opening and closing member 5 appears to be represented by the portion 5b engaging in the hole 1a. While there is a lock piece 3d as described in the abstract of this document to reject opening or closing of the opening/closing member 5 and representing a locking cancellation preventing means, it is readily apparent from Fig. 6 and the other figures of this document that the lock piece is not arranged on the moving path of the locking member, as defined in claim 8 and the

dependent claims of this application, and, in particular, the feature of claim 8 that at least a part of a locking cancellation preventing member which prevents said locking member for moving for canceling the locking is arranged on a moving path for said locking member along which said locking member is required to move so as to cancel the locking is not disclosed by the cited art. Applicants submit that neither Goto et al or JP-9282832 disclose or teach such claimed features, and claim 8 and the dependent claims patentably distinguish thereover.

With regard to the new dependent claims 9 and 10, applicants note that claim 9 recites the feature that said locking cancellation preventing member is irreversibly displaced out of said moving path and the locking is canceled by moving said locking member. As recognized by the Examiner in the indicated allowability of claims 5, 6 and 7/5, such features are not disclosed in the cited art, and should be considered allowable thereover.

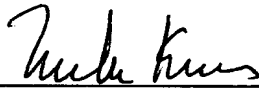
It is noted that new dependent claim 10 corresponds to claim 9 without reciting the feature of "irreversibly" and is considered to be representative of the arrangement as illustrated in Fig. 3 of this application, and applicants submit that Goto et al taken alone or in combination with JP-9282832 fails to disclose or teach such features. Thus, dependent claims 9 and 10 should also be considered allowable

at this time together with parent claim 8.

In view of the above amendments and remarks, applicants submit that the objections and rejections as set forth by the Examiner have now been overcome and that claims 8-10 should now be in condition for allowance. Accordingly, issuance of an action of a favorable nature is courteously solicited.

To the extent necessary, applicant's petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (500.37153X00) and please credit any excess fees to such deposit account.

Respectfully submitted,



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